

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

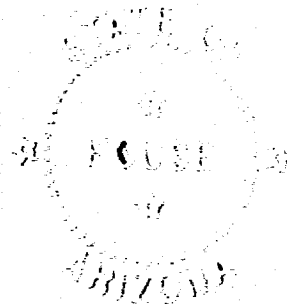
CHAPTER 189

SENATE BILL 1053

AN ACT

AMENDING SECTION 38-297, ARIZONA REVISED STATUTES; AMENDING TITLE 38, CHAPTER 2, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 38-300; RELATING TO ELECTIVE OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-297, Arizona Revised Statutes, is amended to
3 read:

4 38-297. Temporary vacancy resulting from military service;
5 appointive officers and employees

6 NOTWITHSTANDING SECTION 38-361, when a vacancy exists through the
7 induction or order of a public AN APPOINTIVE officer or employee described in
8 section 38-298 into the armed forces of the United States, the appointing or
9 employing authority shall inform any person appointed to fill the vacancy
10 that his THE tenure, apart from other considerations, is contingent upon
11 restoration of the former officer or employee as provided in section 38-298.

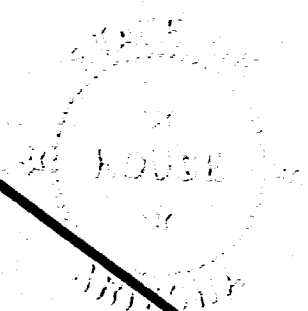
12 Sec. 2. Title 38, chapter 2, article 6, Arizona Revised Statutes, is
13 amended by adding section 38-300, to read:

14 38-300. Temporary vacancy resulting from military service;
15 elective office

16 NOTWITHSTANDING SECTION 38-291, PARAGRAPH 7, IF A PERSON SERVING IN AN
17 ELECTIVE OFFICE OF THIS STATE OTHER THAN THE GOVERNOR, OR A POLITICAL
18 SUBDIVISION OF THIS STATE RECEIVES ORDERS FOR ACTIVE MILITARY DUTY AND THE
19 PERIOD OF ACTIVE DUTY IS PROJECTED TO CONTINUE FOR AT LEAST THREE MONTHS BUT
20 LESS THAN THE REMAINDER OF THE OFFICER'S TERM OF OFFICE, THE OFFICE MAY BE
21 TEMPORARILY VACATED. A TEMPORARY REPLACEMENT MAY BE APPOINTED IN THE SAME
22 MANNER AS PRESCRIBED BY LAW FOR A PERMANENT REPLACEMENT. THE TEMPORARY
23 APPOINTEE SHALL SERVE UNTIL THE OFFICER RETURNS FROM ACTIVE MILITARY DUTY OR
24 UNTIL THE EXPIRATION OF THE OFFICER'S TERM OF OFFICE, WHICHEVER OCCURS FIRST.

APPROVED BY THE GOVERNOR APRIL 25, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2005.



Passed the House April 11, 20 05,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

Norman L. Fyooce
Chief Clerk of the House

Passed the Senate January 31, 20 05,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

Ken Blumett
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1053

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate April 18, 2005,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

Klu Bennett
President of the Senate
Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of April, 2005

at 8:05 o'clock A. M.

Wendy L. Ybarra
Secretary to the Governor

Approved this 25 day of

April, 2005,

at 9:35 o'clock A. M.

[Signature]
Governor of Arizona

S.B. 1053

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of April, 2005

at 4:33 o'clock P. M.

Janice K. Brewer
Secretary of State